

## **REMARKS/ARGUMENTS**

### **STATUS OF THE CLAIMS**

Applicant appreciates the allowance of Claims 1-5. Applicant also appreciates the indication that Claims 7 and 14 include allowable subject matter. Applicant has amended Claims 7 and 14 into independent form. Applicant has amended Claims 6 and 11. Applicant has added new Claims 15-17. Applicant respectfully requests reconsideration and allowance of pending Claims 6-17 in light of the following remarks.

### **CLAIM REJECTIONS - 35 U.S.C. § 103**

#### **Independent Claim 6**

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 3,135,884 issued to Luenberger (hereinafter "Luenberger") in view of United States Patent No. 3,704,078 issued to Conery et al. (hereinafter "Conery").

Claim 6 specifies a submersible motor unit including a stator chamber, an end wall having a threaded stud, and "a capacitor disposed within said stator chamber."

Luenberger teaches a submersible electric motor including a tubular casing 1 for accommodating a stator winding 6. The stator winding 6 is connected to power leads 7, which can supply electrical energy to the stator winding 6. A motor shaft 10 carries a rotor 16, which is positioned inside the stator winding 6. A cover 8 is coupled to the tubular casing 1 through which the motor shaft 10 extends. Luenberger does not teach that the cover 8 includes a threaded stud. In addition, Luenberger does not teach a capacitor disposed within a stator chamber.

Conery does not cure the deficiencies of Luenberger. Conery teaches a deep well type pump 10 including an inner housing 16 enclosing an electric motor 30. The inner housing 16 is cooled by a fluid pumped by the deep well type pump 10. In the Background section, Conery teaches as follows:

Other objects of the invention are to provide an improved driven pump assembly wherein a motor type not requiring a centrifugal starting switch as a three phase motor, a standard permanently split capacitor type, or a capacitor start motor etc.

*Conery*, col. 1, lines 30-34 (emphasis added).

As a result, Conery specifically teaches away from using a capacitor in the motor 30 as would be used in a split capacitor type motor or a capacitor start motor. Applicant also respectfully traverses the Examiner's statement that Conery "discloses a capacitor disposed with in said stator chamber and insulated (inherent, to prevent shorting) from said stator for the inherent purpose of placing the capacitor close to the windings to reduce power losses in long power lines." *Office Action dated March 10, 2009*, page 3.

Accordingly, neither Luenberger nor Conery, either alone or in combination, teaches or suggests a submersible motor unit including a stator chamber, an end wall having a threaded stud, and "a capacitor disposed within said stator chamber," as specified by Claim 6. Thus, independent Claim 6 and dependent Claims 8-10 are allowable.

#### Dependent Claims 9-10

Claims 9-10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Luenberger in view of Conery. Claims 9-10 depend from Claim 6 and are therefore allowable for the reasons set forth in the discussion with respect to Claim 6.

#### Dependent Claim 8

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Luenberger, Conery, and in view of United States Patent No. 3,631,275 issued to Conrad et al. (hereinafter "Conrad"). Claim 8 depends from Claim 6 and is therefore allowable for the reasons set forth in the discussion with respect to Claim 6.

Independent Claim 11

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Luenberger in view of Conery.

Claim 11 specifies a submersible motor unit including a stator, an end wall having a threaded stud, and “an annular capacitor having a plurality of leads that establish an electrical connection to said stator.”

Luenberger teaches a submersible electric motor including a tubular casing 1 for accommodating a stator winding 6. The stator winding 6 is connected to power leads 7, which can supply electrical energy to the stator winding 6. A motor shaft 10 carries a rotor 16, which is positioned inside of the stator winding 6. A cover 8 is coupled to the tubular casing 1 through which the motor shaft 10 extends. Luenberger does not teach the cover 8 having a threaded stud. In addition, Luenberger does not teach a capacitor having a plurality of leads.

Conery does not cure the deficiencies of Luenberger. Conery teaches a deep well type pump 10 including an inner housing 16 enclosing an electric motor 30. The inner housing 16 is cooled by a fluid pumped by the deep well type pump 10. In the Background section, Conery teaches as follows:

Other objects of the invention are to provide an improved driven pump assembly wherein a motor type not requiring a centrifugal starting switch as a three phase motor, a standard permanently split capacitor type, or a capacitor start motor etc.

*Conery*, col. 1, l. 30-34 (emphasis added).

As a result, Conery specifically teaches away from using a capacitor in the motor 30 as would be used in a split capacitor type motor or a capacitor start motor. Applicant also respectfully traverses the Examiner’s statement that Conery “discloses a capacitor disposed with in said stator chamber and insulated (inherent, to prevent shorting) from said stator for the inherent purpose of placing the capacitor close to the windings to reduce power losses in long power lines.” *Office Action dated March 10, 2009*, page 3.

Accordingly, neither Luenberger nor Conery, either alone or in combination, teaches or suggests a submersible motor unit including a stator, an end wall having a threaded stud, and “an

annular capacitor having a plurality of leads that establish an electrical connection to said stator," as specified by Claim 11. Thus, independent Claim 11 and dependent Claim 13 are allowable.

Dependent Claim 13

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Luenberger in view of Conery. Claim 13 depend from Claim 11 and is therefore allowable for the reasons set forth in the discussion with respect to Claim 11.

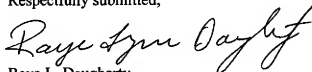
NEW CLAIMS

Applicant has added new Claims 15-17. Applicant believes new Claims 15-17 specify subject matter that is patentable over the prior art of record. Applicant respectfully requests examination and allowance of new Claims 15-17.

CONCLUSION

Applicant would like to thank the Examiner for allowing Claims 1-5. In light of the above, Applicant respectfully requests entry of the amendment and allowance of pending Claims 6-17.

Respectfully submitted,



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